

4 "If the court finds that there is an affirmative showing that the  
5 municipal corporation is capable of extending into such territory sub-  
6 stantial municipal services and benefits not theretofore enjoyed by such  
7 territory, so that the proposed annexation will not result merely in  
8 increasing the revenue from taxation of such municipal corporation;  
9 and if the court finds further that all of the proceedings and conditions  
10 precedent to annexation as required hereinbefore by subsections one  
11 (1) through five (5) inclusive have been duly instituted and carried  
12 out as provided therein, the court shall decree the annexation. No costs  
13 shall be taxed against any defendant who fails to make a defense."

Approved April 29, 1953.

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## CHAPTER 163

### NONPARTY NOMINATIONS

#### H. F. 5

AN ACT relating to election procedure in those cities nominating candidates for municipal office by nonparty political organizations and by petition.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section twenty (20) of chapter one hundred forty-five  
2 (145), Acts of the Fifty-fourth General Assembly, is amended by add-  
3 ing at the end thereof the following:

4 "Any such city, under one hundred thousand (100,000) population,  
5 may by ordinance provide that all candidates for all elective city offices  
6 shall be nominated under the provisions of chapter forty-four (44)  
7 and chapter forty-five (45), Code 1950. In such event nomination  
8 for all such offices by primary shall not be authorized."

Approved March 25, 1953.

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## CHAPTER 164

### MUNICIPAL GOVERNMENT CHANGE

#### S. F. 66

AN ACT to amend chapter one hundred forty-five (145), Acts of the Fifty-fourth General Assembly, relating to elections to change the form of a municipal government.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter one hundred forty-five (145), Acts of the  
2 Fifty-fourth General Assembly, is amended by striking all of section  
3 thirty-six (36) and inserting in lieu thereof the following:

4 "Sec. 36. Question submitted. At such election, the proposition  
5 submitted shall be: 'Shall the proposition to change the form of mu-  
6 nicipal government of the city (or town) of .....  
7 ..... to the .....  
8 (Name of municipal corporation)